

IN THE HIGH COURT OF JUDICATURE AT PATNA
CRIMINAL MISCELLANEOUS No.70786 of 2022

Arising Out of PS. Case No.-81 Year-2022 Thana- PURNAHYA District- Sheohar

MOTILAL BAITHA Son of Late Nathuni Baitha R/v- Dharampur, P.S.-
Piprahi, District- Sheohar

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

Appearance :

For the Petitioner/s : Mrs.Madhubala Verma, Adv.

For the Opposite Party/s : Mr.Dilip Kumar No.1, APP

CORAM: HONOURABLE MR. JUSTICE ANJANI KUMAR SHARAN
ORAL ORDER

2 31-01-2023 Heard the parties.

The petitioner apprehends his arrest in connection with
Purnahiya P.S. Case No.81/2022, registered for the offence
punishable u/s 363, 365/34 of the IPC.

Allegation against the petitioner is that he along with one
Narendra Kumar has kidnapped the son of informant.

It is submitted by learned counsel for the petitioner that
petitioner is quite innocent and has committed no offence. He
has been falsely implicated in this case only on suspicion. No
such occurrence in the manner, as alleged has ever taken place.
There is no specific allegation against the petitioner rather the
allegation is general and omnibus in nature. There is
contradiction in the statement of the informant as made in the
F.I.R. and in the re-statement in the case diary. It is submitted



that prior to that, the victim boy himself disappeared and after some time he came back. There is no eye-witness to the alleged occurrence. Petitioner has no criminal antecedent.

Learned counsel for the State opposed the prayer for bail by submitting that till date the victim is traceless.

Considering the facts and circumstances of the case, since the victim has not been recovered till date, I am not inclined to enlarge the petitioner on bail. The prayer for grant of anticipatory bail on his behalf is hereby rejected.

This application is accordingly dismissed.

(Anjani Kumar Sharan, J)

pallavi/-

U		T	
---	--	---	--

